

ONLINE

# USPTO TODAY

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## *In Touch*

*With the Under Secretary for IP*

Q. Todd Dickinson  
Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office

*The man with a new idea is a Crank until the idea succeeds.*  
*-Mark Twain*

Mr. Twain's humor is a perfect opening for the September issue of USPTO Today, as this month we celebrate the people who have made the world a better place for all of us: the individual inventors. We see evidence of their inspiration and innovation every day at the USPTO- and we're thankful for it.

It is our good fortune that these men and women have chosen to persevere in pursuing their hopes, despite the "naysayers." I am amazed at the ingenuity that comes through our door, and it makes me proud that together we are helping to make dreams come true.

But our work here is not the only contribution that we make. Twenty years ago the USPTO and the National Council of Intellectual Property Law Associations created the National Inventors Hall of Fame, which opened in Crystal City, and then reopened in 1995 in Akron, Ohio. Since that 1995 reopening, the NIHF has hosted an incredible 600,000 visitors.

This September is particularly significant, because on September 9, the NIHF **Induction 2000** ceremony took place, with seven inventors inducted into the Hall of Fame -- the first of the new century. You'll recognize the names of many of these men and women:

**Walt Disney**, for his multiplane camera which introduced better looking and richer animation;

**Reginald Fessenden**, for his wireless radio communication that led to the radio broadcasting industry of today;

**Alfred Free** and **Helen Free**, for their dip and read tests for urinalysis which allowed for easy self-testing of glucose levels by

diabetic patients and paved the way for further dip-and-read testing;

**J. Franklin Hyde**, for his work in fused silica which is ultra-pure high quality glass, used in fiber optics, telescope mirrors, spacecraft windows and precision lenses for manufacturing;

**William Kroll**, for his work in titanium and zirconium processing which enabled these elements to be produced in a metallic state; and

**Steve Wozniak**, for his Apple II computer which packaged a central processing unit (CPU), monitor, keyboard and disk drive in an affordable unit complete with color and graphics capabilities.

This year's ceremony also included – for the first time – a Lifetime Achievement Award for outstanding contributions to the American intellectual property system. The first recipient is Isaac Fleischmann, former public affairs director for the USPTO. Although his official file says he retired in 1981, in reality Isaac never retired his devotion to the agency he served for over three decades, nor did he cease serving the people who place their trust in the American intellectual property system. Former Assistant Secretary of Commerce and Commissioner of Patents and Trademarks Gerald J. Mossinghoff, the last commissioner under whom Isaac served, presented the award.

**Induction 2000** was a special ceremony, and an auspicious start to the new millennium. Not only did we honor an important public servant, we recognized the creative spirit that impacts our lives in so many ways.

Yet another Twain quote captures the importance of this recognition: “Thousands of geniuses live and die undiscovered -- either by themselves or by others.” Together with the NIHF, the USPTO is working to make sure that we discover, and exalt, the geniuses in our midst.



# This Fall – File Patent Applications via the Internet!

*by Gregory Morse, Search and Information Resource Administration*

The USPTO's customers expect the office to use the most current technology to improve quality and efficiency as the agency integrates e-government into its business practices--and the agency is delivering. The USPTO began a limited participation Electronic Filing System (EFS) pilot in December 1999, when--for the first time in history--a utility application was filed over the Internet. Over 120 utility patent applications have been filed from all across the United States during the EFS pilot. The office has received valuable feedback and has used that information to improve upon the EFS products which will be available this fall.

## **New generation of EFS software**

In October 2000, the USPTO will initiate full production of electronic patent application filing by providing customers with software to author and file patent applications via the Internet. All the required software will be made available, free of charge, for download from the EBC (Electronic Business Center) on the USPTO Web site. The EFS software assembles all application components, including figures, calculates fee information, validates application content, and compresses, encrypts, and transmits the application to the USPTO. With a customer number and digital certificate, EFS transmissions to the USPTO are encrypted and secure. The USPTO uses the latest Public Key Infrastructure (PKI) technology to ensure the security of the electronically submitted patent application information. EFS transmissions are digitally encrypted from a customer's PC all the way to the USPTO's electronic mailroom.

The EFS will allow applicants to file new utility applications and certain types of pre-grant publication submissions. New utility filings will consist of a specification, a patent application data file, a fee transmittal file, a declaration, and possibly drawing figures, assignment information, and a small entity statement.

If you have pending applications, you may also use the EFS as of November 29, 2000, to file requests for voluntary publication of applications, requests for republication of an application, and requests for redacted publication. These submissions will be similar to new utility filings, but will not have a declaration, small entity statement, or assignment information.

EFS is a major step in the USPTO's efforts to provide fully automated application processing. Application content is automatically electronically "tagged" by EFS software, with no effort required by the customer. This tagging of application data will be of vital importance to USPTO efforts to improve the quality of internal application processing.

### **Benefits of using EFS**

EFS provides benefits long sought by USPTO's customers. Applicants who are familiar with electronic commerce will realize time savings and convenience of filing electronically using the Internet. EFS will support filing 24 hours a day, seven days a week. The real-time acknowledgement receipt and immediate assignment of a serial number allow all applicants to track their applications from the beginning and reduce transcription errors in the bibliographic data. Inventors, attorneys, and agents will avoid some mistakes of form as a result of the built-in validation. This validation will ensure that an application meets a variety of USPTO business rules and allow users to avoid processing delays associated with common errors. Users will have the means to make certain types of pre-grant publication submissions and will have greater control over the accuracy of the pre-grant publications since the data that they submit electronically will be the data that USPTO publishes.

### **Submission using EFS**

All EFS submissions follow a similar process. You prepare or gather your documentation, author your specification in an XML-based environment, attach and package related files and bibliographic data, view the finished package, electronically sign the package, submit it to the USPTO, and receive an electronic confirmation that your package was received. The USPTO provides you with EFS-specific software and documentation online at no cost; you must have a specified minimum computer configuration (see inset) to use the EFS.

To prepare your documentation, you will create, either by scanning or by software conversion, TIFF images of your figures and declaration (and small entity statement, if applicable). You should also have

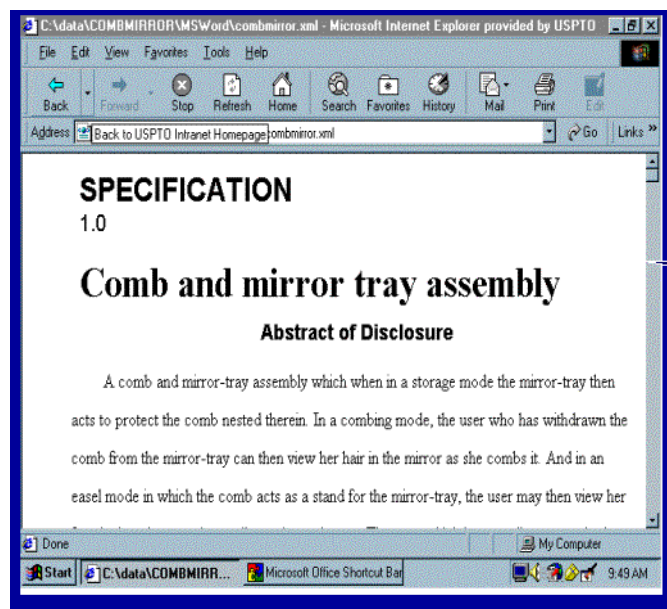
#### **Technical requirements for using EFS**

- 200 MHz or higher PC
  - Windows 95, 98, NT (SP 3), or 2000
  - MSWord 97, 2000 or WordPerfect 9
  - Microsoft Internet Explorer 5.0 or higher
  - 64 Mb RAM, 128 Mb recommended
  - 45 Mb hard drive space, 100 Mb recommended
  - 800x600 screen resolution, 1024x768 recommended
  - Network card or 56 kb modem with internet access
- Scanner

access to any copy of your specification and bibliographic data. During the authoring segment of the process, you will transform your specification from electronic, paper, or other form into a coded document that can be used for publication and, ultimately, for examination. You will use a USPTO-supplied word processing template to add eXtensible Markup Language (XML) coding to your specification. These codes will identify, for example, the title, the beginning of the claims section, or the abstract. This coding is largely automatic, particularly in the Microsoft Word template, involving no user knowledge of XML. The templates also allow you to attach drawing figures to your specification. These templates provide validation of the document against the USPTO's business rules, such as ensuring that the abstract is in a single paragraph, but will not provide general information such as how to draft claims.

You will use another program to enter bibliographic data. This data you need is largely similar to the data on an application data sheet (new rule 1.76), fee transmittal sheet and cover sheet in paper filing practice. You will attach a scanned image of your declaration and small entity statement at this point. Once this data has been entered, you will view your specification, figures and transmittal documents in Microsoft Internet Explorer 5.x using a USPTO standard stylesheet that controls the display of the data. This step is critical as this stylesheet will be transmitted with the specification, used by the USPTO to recreate the application in the same form and entered (in that form) into the examination process.

After reviewing the document, you will electronically sign it. The signature will include certifications that submission is made for official communication with the USPTO and that the signer has reviewed the electronic document. Once you have reviewed and electronically signed the package, you use ePAVE to automatically compress, encrypt, and send it to the USPTO. The digital certificate is used in encryption; it is part of the Public Key Infrastructure



*Viewing the completed application using a USPTO supplied stylesheet*

encryption scheme. This encryption allows the file to be submitted securely via the Internet as only the USPTO will have the key required to decrypt the package.

Once the office receives the package, an immediate acknowledgement receipt will appear on your computer screen. This acknowledgement receipt includes bibliographic data such as the title of the invention, first named inventor, and names and sizes of included files, as well as the serial number assigned to your application and the date and time of its receipt. A standard filing receipt will also be sent following an initial review of the electronic application. Applicants should print out and retain this acknowledgement receipt as it serves much like the current stamped postcard does for a paper filing.

### **Getting EFS software and documentation**

The EFS user component will include three pieces of software and four user manuals and related documentation, all of which will be distributed to registered attorneys and agents and will also be freely downloadable from the USPTO Web site.

You may use either of the two word processing software templates available, one of which is for WordPerfect and the other for Microsoft Word, to create your XML-tagged specification. Both will produce functionally identical output, but the Microsoft Word template provides more automation and is somewhat easier to use. Either template will allow you to select from the recommended sections of a specification and either copy-and-paste from a source document or type directly into the template; the Microsoft Word template automates the process of tagging individual paragraphs and claim elements and provides more intuitive control of drawing figures. You may view the specification using Microsoft Internet Explorer 5.x.

The third software element is the Electronic Packaging And Validation Engine, or ePAVE, which creates XML files for application data and fee transmittal, allows the user to view the finished specification, checks for validation errors, compresses, encrypts, and transmits the submission to the USPTO. This is a stand-alone application rather than a template.

A quick start user guide, an EFS introduction manual, two EFS authoring tool manuals (one for Microsoft Word and one for WordPerfect), an EFS submission manual, and instructional videos will also be offered in late October. These documents will also be available on the USPTO Web site.



## **Prepare to use the EFS!**

To be ready for EFS, you need to obtain a customer number and digital certificate now! With a customer number and digital certificate, EFS transmissions to the USPTO are encrypted and secure. The application form is available at [www.uspto.gov](http://www.uspto.gov), select “Patent Electronic Business Center,” and then select “Downloads.” With your customer number and digital certificate, you will be able to submit applications using the EFS and access status information about your current pending applications via the Patent Application Information Retrieval (PAIR) system 24 hours a day, seven days a week. If you plan to use the EFS, you should act now to have a usable system in place prior to distribution of the software in late October.

Ultimately, the USPTO, along with the rest of the federal government, is increasing its use of electronic commerce in order to provide faster and more reliable service to its customers. Electronic filing (and, in the future, electronic submissions of other types) will become more common. In the foreseeable future, the USPTO hopes to receive many, if not most, of your applications electronically. The USPTO is committed to providing the necessary infrastructure and resources to make this possible.

*For instructions on obtaining a customer number, digital certificate and copies of the EFS software, and for more information about EFS and USPTO’s growing number of e-government programs and activities, please visit the Patents Electronic Business Center (EBC) on the Web at <http://www.uspto.gov>.*

*Information is also available by calling the USPTO toll-free at 1-800-PTO-9199 and selecting the menu option for Patents (Note: A new option for Electronic Filing will be added soon). You may also contact our EFS Help Desk directly by calling (703) 305-3028. (Note: at present this is a toll call, but a toll-free number for the EFS Help Desk will be available on or about October 23, 2000).*



**Ten things you must know about the current version of the EFS:**

1. You must have a USPTO customer number and a digital certificate to use the EFS.
2. You must make payment for transactions on the EFS by USPTO deposit account or bank (i.e. credit) card.
3. You must have Windows 95/98/NT/2000/ME and an Internet connection to use the EFS.
4. You may file new utility or plant applications.
5. You may submit specifications for pre-grant publication.
6. You must submit image files, including figures and declarations, as TIFF files.
7. You cannot submit color images.
8. You cannot file new applications that are extremely (>10Mb) large.
9. You cannot submit papers to be matched with the file wrapper during prosecution of an application, including amendments.
10. You cannot file provisional, PCT, design, reissue, or reexam applications.

*Fred Schmidt and Michael Moore contributed to this article.*

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**Note to patent applicants:**

For the first time since 1997, patent fees are going up effective October 1, 2000. In order to recover the high costs associated with doing business, patent fee amounts are adjusted by the current rate of inflation.

The USPTO has been fully fee-funded since 1993. Patent fees are set by section 41 of title 35, United States Code. Subsection (f) of this section authorizes the commissioner of patents and trademarks to adjust patent fees annually to reflect fluctuations in the Consumer Price Index over the preceding 12 months.

In both 1998 and 1999, patent fees were reduced to more accurately reflect the cost of processing patent applications.

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# Independent Inventor Web Site Wins Award

*by Richard Apley, Director, Office of Independent Inventor Programs*

There is an old, familiar saying that “You can’t judge a book by its cover.” That’s true with books, people, and now Web sites. Lurking beneath the staid, exterior of the USPTO’s Web site is an informative, friendly, educational site known as Independent Inventor Resources. Click on that button and you arrive at the award-winning site for independent inventors. **The 1<sup>st</sup> Annual United Inventors Association Web site Excellence Award** was presented to the Independent Inventor Resources’ page in recognition of “...USPTO’s efforts to inform, educate, and connect independent inventors.”

Just over a year ago, Under Secretary Q. Todd Dickinson and then OIIP Director Don Kelly assembled a team of patent, trademark, and Web page experts to tell them about their idea for a Web site. It would be an all-purpose site for the independent inventor. Richard Stouffer was the project manager, and his team consisted of members of every business center in the USPTO. The Web developers explained how a site was to be built and listed their needs for people experienced in ASP, Visual C ++, XML, VBScript, DHTML, CSS, COM/DCOM, ATL, ADO, OLEDB, MTS, MSMQ. Most of the other attendees were wondering if they were building a Web site or working on the Human Genome Project. All that was Web developer talk for </Web-design software> and applications. Their expertise helped the subject-matter experts from patents, trademarks, special laws, legal, and search and information resources write and format the content into a friendly and informative site. When the site was dedicated last year, Under Secretary Dickinson stated that this site was dedicated to “...the independent inventors – past, present and future... it is through their persistent struggle against enormous odds that the American dream endures.”

The site is intended to help the independent inventor learn about intellectual property (patents, trademarks, copyrights) and to provide other valuable information about marketing an invention, linkages to other portions of the USPTO Web site and other federal agencies, obtaining assistance from the Office of Independent Inventor Programs, and important information and warnings about invention promotion scam companies. As Under Secretary Dickinson states on the site “Welcome to this site specifically constructed for Independent Inventors. Sponsored by the Office of

Independent Inventor Programs, this customized resource will continue as a work-in-progress as we make every effort to deliver information and links to information that is critical to those of you who are engaged in inventive entrepreneurial activity....”

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## Industry Outreach in Business Methods

### Helping Both the USPTO and Its Customers

*by Wynn Coggins, Technology Center 2700*

Recent growth in business technologies, particularly in areas related to electronic commerce, has been substantial. While some say the State Street Bank decision was the watershed decision on patenting business methods and is responsible for the magnitudes of applications now being filed in this area, others simply point to progress. Computers and the Internet have created an information age that is revolutionizing how people work, shop, go to school, and entertain. It is inevitable that patent protection would be sought in these areas. However, industry and patent practitioners have voiced concerns about the availability of prior art and the quality of the searches being performed in these areas. In an effort to address these and similar concerns, on March 29, 2000, Under Secretary Todd Dickinson announced an action plan for business methods that included initiatives on industry outreach and customer partnership. These initiatives have provided a forum through which mutual concerns, problems, and possible solutions are being discussed, and USPTO operational efforts in this technology area are being shared. Feedback on prior art resources is also being gathered and input on expanding non-patent literature (NPL) information collections and databases is being solicited.

The business methods action plan announced three important initiatives under industry outreach. They were: customer partnership, roundtable forum, and industry feedback. To date, technology center 2700 has established an informal partnership with 10 organizations. They are the American Bankers Association (ABA), the American Council of Life Insurers (ACLI), the American Insurance Association (AIA), the American Intellectual Property Law Association - Electronic and Computer Law (AIPLA-ECL), the Institute of Electrical and Electronic Engineers – USA (IEEE), the Information Technology Association of America (ITAA), the

Information Technology Industry Council (ITI), the National Clearing House Association (NACHA), the Securities Industry Association (SIA) and the Software Information Industry Association (SIIA). On-going meetings are occurring with most of these organizations and many have offered to provide training and input on search strategies. The SIA is helping with examiner education and arranged an examiner field trip to Wall Street in August. An article on TC 2700 training needs appeared in the March issue of *IEEE Spectrum*. Many organizations such as NACHA, IEEE and SIIA have offered to review and comment on search strategies and to provide suggestions for expanding current resources. Some have proposed internship programs at the USPTO. All are excellent efforts, and the USPTO looks forward to expanding them as the partnership evolves and becomes more established.

In addition to on-going meetings with the partnership organizations, the Technology Center 2700 Tech Fair was held in June, and a Roundtable forum was convened by the USPTO in July. The Tech Fair was a tremendous success. Industry representatives from a number of organizations such as Qualcomm, Ericsson, Intel, Sun Micro Systems Inc., IBM, and National Semiconductor Corporation attended, and over 530 examiners participated. Additionally, the Roundtable forum provided a venue for stakeholders in the business methods area to openly discuss problems and possible solutions. Representatives from the public, from academia and from the private sector attended, including many from the partnership organizations.

Future plans include continuing efforts to place emphasis on receiving and cataloging feedback on current prior art resources, and soliciting input on possible ways to expand these resources to include other databases and information collections that are not currently available to the examiners in Class 705. Additionally, public announcements will be made to help with this effort. Sometime in early fall an *Official Gazette* notice will be published specifically addressing this initiative. The announcement is a request for input from interested parties on current USPTO search resources utilized in the examination of applications in Class 705. A full and complete listing of current USPTO prior art resources will be provided in the announcement for comment, along with a detailed description of the mandatory search that is now required for all applications examined in Class 705. Quarterly partnership meetings with USPTO's business methods customers and practitioners will also be held to give the agency's stakeholders an opportunity to monitor progress and keep open the lines of communication in this important area. Interested parties should contact Wynn Coggins at (703)308-1344 or [wynn.coggins@uspto.gov](mailto:wynn.coggins@uspto.gov).

# Under Secretary Dickinson Speaks at JIPA Annual Meeting

*by Lois Boland, Office of Legislative and International Affairs*

Under Secretary of Commerce for Intellectual Property and Director of the USPTO Q. Todd Dickinson was invited to speak at the Annual Meeting of the Japan Intellectual Property Association in Tokyo, Japan on May 26, 2000. Under Secretary Dickinson's speech focused on the U.S. government's perspective on the continuing need for the effective protection of intellectual property throughout the world.

He discussed the evolution of intellectual property protection in the United States. He summarized some of the major patent issues in the United States, including the subject of computer-implemented business method patents, a topic of considerable interest to the members of JIPA. In closing, he discussed the challenge of enhancing and simplifying patent protection globally. Under Secretary Dickinson met with Mr. Ohga, chairman of JIPA, after the meeting, and they discussed patent issues of common interest to the United States, Japan, and Europe.



*top: JIPA Chairman Ohga and Under Secretary Dickinson.*

*Under Secretary Dickinson (center) enjoys traditional Japanese dinner with fellow conference participants.*

*photos courtesy of JIPA.*

# FAQs About TEAS

*by Craig Morris and Steve Meyer, Office of the  
Commissioner for Trademarks*

On October 1, 1998, the United States Patent and Trademark Office introduced the Trademark Electronic Application System (TEAS). So far, the USPTO has received over 60,000 electronically filed applications. To encourage even greater usage of TEAS, particularly by law firms, the Trademark Operation of the USPTO has collected some of the most frequently asked questions about TEAS:

## **Q. What is the difference between eTEAS and PrinTEAS?**

**A.** The TEAS site has two separate and distinct components, eTEAS and PrinTEAS. eTEAS allows you to complete the application on-line, and then submit it directly over the internet, paying by credit card or an existing USPTO deposit account. eTEAS requires, for a stylized or design mark or submission of a specimen, attachment of a GIF or JPG image file. For a mark in the typed format, the mark can simply be entered via the computer keyboard. PrinTEAS, on the other hand, allows you to complete the application on-line, but then print it out for mailing to the USPTO, paying by check or existing USPTO deposit account. Although you can attach an image file in the Mark Information section of PrinTEAS to create a drawing page, this is not required -- you can check a box indicating that you do not have an image file, and attach the image manually. Or, for a mark in the typed format, the mark can be entered directly via the computer keyboard.

## **Q. What are the advantages of using eTEAS?**

**A.** Electronic filing has many advantages over filing on paper via mail or express delivery services, including:

- a dramatic increase in the speed with which applications can be filed;
- the ability to file 24 hours a day, seven days a week, making it possible to receive a filing date 1) on days the Office is officially closed; and 2) extending the time for filing on any given day up until midnight Eastern Standard Time, rather than an earlier time (often 5 p.m.) - which is the case using the U.S. Postal Service Express Mail certificate procedure;

- virtually instantaneous provision of filing receipt and serial number;
- saving a great deal of money on Express Mail postage and fax charges and/or courier delivery costs, because electronic applications are created, reviewed, and filed electronically using the Internet;
- more accurate filing receipt information because it is transferred directly from the database containing the information entered by the applicant and does not have to be entered again by hand at the USPTO;
- more efficient review of the applications because they are in a standard format recommended by the USPTO; and
- faster review of applications by an examining attorney or paralegal.

### **Q. What can I file through TEAS?**

**A.**

- Trademark/Service mark Application, Principal Register;
- Statement of Use/Amendment to Allege Use for Intent-to-Use Application;
- Request for Extension of Time to File a Statement of Use;
- Combined declaration of use & incontestability under Sections 8 & 15;
- Declaration of Use of a Mark under Section 8;
- Combined declaration of use in commerce/application for renewal of registration of mark under Sections 8 & 9; and
- Declaration of Incontestability of a Mark under Section 15.

### **Q. Why bother using PrinTEAS if I can't file directly over the internet?**

**A.** Even if you cannot submit the application directly over the Internet, PrinTEAS provides advantages to both you and the USPTO. For you, it allows you to use the on-line Help function associated with each data entry field -- simply click on the field name to access Help at the bottom of the screen. Also, PrinTEAS (like eTEAS) features a validation function, which will provide error messages if a mandatory field for receiving an application filing date has not been filled (and warning messages if other expected, although not mandatory, fields have not been filled). For the USPTO, an application submitted from the PrinTEAS source is still more advantageous than a free-form paper document, since it will be in a "scannable" format that allows easier upload of the information into USPTO databases.



**Q. Are there basic technical requirements for using TEAS?**

**A.** Yes. eTEAS works only if you use either Netscape Navigator (Version 3.0 or most recent) or Microsoft Internet Explorer (Version 4.0 or most recent). eTEAS uses frames, JavaScript, and the file upload feature supported by these browser versions. Internet Explorer on the Macintosh platform will not permit a proper image attachment. Also, Internet Explorer that sits behind a Microsoft Proxy Server will not connect properly, unless you are using Version 5.1 or greater). PrinTEAS, on the other hand, works best if you use either Netscape Navigator (Version 3.0 or most recent) or Microsoft Internet Explorer (Version 4.0 or most recent).

**Q. How do I submit a specimen for a use-based application?**

**A.** Where a specimen (sample) of actual use in commerce is required, you must be able to attach a scanned image or digital photograph in the GIF or JPG format. These are the only accepted image formats.

**Q. Why do you only accept image attachments in either the GIF or JPG format?**

**A.** If the USPTO accepts, e.g., Word® and Wordperfect® files, we will have many customers filing with current versions, which would be acceptable. However, we would also get versions so new and versions so old that our systems could not read them without lots of extra software. We would then end up having to maintain archives of EVERY version of any of these software programs ever created. We simply do not have the extra resources for this. Also, it is very easy, and inexpensive, for customers to get the software needed to convert files to the proper format.

**Q. What size should my image attachment be?**

**A.** You should be able to view and print from your browser the mark image as a 4" X 4" image. The specimen should view and print as an 8 ½" X 11" image or smaller.

**Q. I keep getting an error when attempting to attach my image file. What am I doing wrong?**

**A.** More likely than not, the file is not in one of the two acceptable image formats, namely JPG or GIF. Also, there are many, many different “flavors” of JPG and GIF image files, and we do not accept all variations. You should verify that the application validates without the image attached, by doing a “dummy” application up through the validation function. If the application validates, then this confirms that there is a problem with the image file. Also, you can try to cut and paste the image into PowerPoint and re-save the image under file type as a .gif or jpeg file, then try the validation function again. Please remember that you need to be able to view and print from your browser your mark as a 4” x 4” image. The specimen should view and print from the browser as an 8 ½” X 11” image. If you cannot do this, then we will not be able to do this either, which may cause problems. Finally, if you continue to have problems with the image file, please forward it separately (with an explanation in the email) to [PrinTEAS@uspto.gov](mailto:PrinTEAS@uspto.gov). One of our specialists will confirm whether the image is in an acceptable format.

#### **Q. Who can sign a TEAS application?**

**A.** As of October 30, 1999, the Trademark organization no longer questions the authority of the person who signs verification, unless there is an inconsistency in the record as to the signatory’s authority to sign. So, this means that a person who is properly authorized to sign a TEAS application on behalf of the applicant is (1) a person with legal authority to bind the applicant; or (2) a person with firsthand knowledge of the facts and actual or implied authority to act on behalf of the applicant; or (3) an attorney who has an actual or implied written or verbal power of attorney from the applicant.

#### **Q. Is the signature aspect of electronic filing difficult?**

**A.** The USPTO has tried to make signing an electronic application as easy as possible:

- Under the provisions of the Trademark Law Treaty, an application could actually be submitted without any signature at all. The examining attorney will ask for a signed declaration during the examination process.
- The Trademark organization accepts whatever an applicant wants to adopt as their signature between two forward slashes. For example, /John Applicant/. A complex digital signature is **not** required.
- If you want an applicant to review and sign an application that you have prepared, you can use the portable form feature

available in eTEAS. This allows you to create and fill in the form (but for the signature), validate the form and save it as a portable document. Then you can send it to the applicant as a simple e-mail attachment. The applicant can review and sign it, re-validate the form, save it and send it back to you, again as a simple e-mail attachment. You would then re-open the form, re-validate the form, and submit for payment.

**Q. How do I pay for an eTEAS application?**

**A.** The eTEAS site is secure and accepts all major credit cards. Paying with a credit card ensures that your application is complete, in terms of payment, when the serial number is assigned, because credit card transactions are conducted in real time when you are filing your application.

Paying by deposit account is also an option. However, users of eTEAS should be aware that, unlike with credit card payments, the eTEAS system does not automatically debit deposit accounts when an application is processed. The deposit account is debited within a week of the filing date. If a deposit account does not contain enough funds when the Trademark organization attempts to process the fee, the application will be sent back -- the serial number will be declared “misassigned” and the filing date will be cancelled. Due to customer complaints in this regard, we have clearly posted this information at the eTEAS site, within the Fee Information section. Please note that this is not a change to Trademark policy, since all paper applications are handled in the same manner. But, looking to the future, we are planning to enhance eTEAS to permit real-time debiting of deposit accounts. This feature should be available in 2001.

**Q. My credit card was charged more than once for a TEAS filing. What should I do to credit back my account?**

**A.** Please send an email to [PrinTEAS@uspto.gov](mailto:PrinTEAS@uspto.gov). One of the specialists will work with the finance area to credit your account.

**Q. After submitting an application electronically, what if I want to communicate via e-mail?**

**A.** The latest version of eTEAS features a check box near the applicant’s email address. If this box is checked, we will be able to communicate by e-mail. However, certain items, e.g., a Notice of

Allowance, will still be mailed via regular mail. If the box is not checked, then ALL correspondence will be through the regular mail.

**Q. Is the TEAS Web site located at USPTO? Or does a contractor run the TEAS Web site?**

**A.** The TEAS system resides exclusively at the USPTO. USPTO developers and staff developed the Web site. USPTO employees also maintain and manage the site. The payment server supporting TEAS is also located at the USPTO, and was jointly developed and is maintained by both USPTO employees and a contractor. The Trademark organization takes full responsibility for managing the operation of the TEAS site and support groups within USPTO.

**Q. Does using eTEAS improve the quality of my data within the USPTO databases?**

**A.** Yes, because the TEAS system is integrated into the databases that store trademark application data. The eTEAS applications are electronically loaded into the Trademark organization's core data systems. Information that is tagged in the eTEAS application is automatically captured and stored in TRAM (Trademark Reporting and Application Monitoring) system. Images of the applications are also automatically captured. All of this information is provided to both our search systems and status databases. The fact that information is captured and stored electronically decreases the likelihood of errors.

**Q. I used e-TEAS to submit a “composite” mark consisting of both words and a design. Why does the USPTO database incorrectly show the literal element of my mark?**

**A.** While TEAS was able to automatically up-load the image file containing the overall image of the mark, there previously was no mechanism for TEAS to “strip out” just the word portion of the composite mark. This meant that data entry personnel had to view the composite mark, and hand key any words within that mark. This unfortunately led to errors. To eliminate this problem, eTEAS has been enhanced for stylized and design marks. Under Mark Information, in addition to attaching the image file showing the overall composite marks, you should now also type in the literal element of the mark. This new data entry field will permit electronic upload of this information directly into the USPTO data-

bases; as such, any errors in the future will ONLY be the result of improper entry of information by the applicant.

### **Q. Why isn't eTEAS always available?**

**A.** We make every effort to have eTEAS available 24 hours a day, seven days a week. However, the eTEAS site is closed each week from 11 p.m. Saturday until 6 a.m. Sunday, for routine maintenance (although PrinTEAS is still available during that time period). But, sometimes the site is also down for unscheduled maintenance. While we try to restore service as soon as possible, this does not always happen as quickly as we would hope. We are planning, as a future enhancement, to have a backup server for TEAS. However, because of the possibility of an unforeseen problem, we do encourage applicants to plan ahead, and not wait until the very last minute to process time-sensitive applications.

### **Q. Can I save my work?**

**A.** The eTEAS system allows applicants to save their work as a portable form. The portable form is available after the applicant completes the validation process. In addition, we have now introduced a downloadable blank initial application form, for use by experienced parties who file multiple applications, to create standard templates containing repetitive information. This will allow creation of forms, for example, for specific clients, meaning that only "new" information (e.g., a different mark) will have to be entered. This new option is available from the bottom of the front page of the main TEAS Home page, at the icon with the heading "Downloadable Blank Initial Application Forms."

The PrinTEAS site (wherein you can complete an application, print it out, and mail it to the USPTO) currently does NOT have a download feature for saving work. This will be included in a later release.

### **Q. I am having trouble validating the form – what can I do?**

**A.**

- If you are using Internet Explorer behind a proxy server, you must upgrade to Version 5.1. Or, you must either dial around the proxy, or use Netscape.
- If you are having trouble with an image attachment, you should try validating without the image attached. If this works, then

you need to re-save your image. Many users are able to cut and paste the image into PowerPoint and, using the file type “save as” feature, re-save the image as a jpg or gif.

**Q. Why can't I print a blank form from your Web site?**

**A.** In order to help meet every increasing workloads, we simply cannot encourage that traditional paper forms be mailed to the USPTO. We have replaced the downloadable paper forms with links to TEAS, from which you could access e-TEAS (for filing directly over the internet); or PrinTEAS (for completing the application on-line, printing it out, and mailing to the USPTO). Even though a PrinTEAS filing does come into the USPTO in paper, it is in a scannable format, which still is better for the USPTO than a traditional paper form.

**Q. Why am I not receiving an official paper filing receipt?**

**A.** Because an e-TEAS filing results in the assignment of an immediate serial number, and the transmission via e-mail of a summary of the filing, the USPTO determined that a later mailing of a paper filing receipt was redundant, and a waste of resources better devoted elsewhere.

**Q. While transmitting my trademark application I keep getting an error, so I keep pressing return. Will it charge my credit card more than once?**

**A.** No, clicking on the return button after receiving an error will not lead to charges. First, you must enter all of the credit card information. Then, you must click the “Submit Information” button to send your transaction. If you would like to cancel your payment and exit the system, you simply select the “Cancel” button and you will not be billed for the transaction. Assuming you have clicked the “Submit Information” button, you will go to a “Payment Information Summary Page.” You are asked to confirm that the information shown on the page is correct. If there are any errors, click “Change” to return to the previous form. Otherwise, click “Continue” to process payment, or “Cancel” to abort the transaction. Only clicking “Continue” at this final step will lead to a charge.

**Q. When I used the GO BACK button on the form to make a change, all of the information I had entered was gone. Why?**

**A.** This usually is the result of your not having sufficient “cache” in the system, i.e., enough to hold the information you previously entered. This means that you should close all other browser windows before attempting the process again, and that you should increase the browser cache size. The exact steps for this function vary among different browser versions. Or, you can try to “dump” your existing cache or history, and start the form again from the very beginning.

**Q. I could not make my payment (and complete the application process) because the payment server was apparently down. How can I avoid this problem in the future?**

**A.** You should save a portable form version of the completed application (by using the download portable form function from the Validation page after successfully validating your completed application), or bookmark the validation page. Then, within 24 hours of the original attempt, re-try the payment option (after 24 hours, the application is dropped from the system, and the payment process cannot be completed, meaning that an entirely new application must be created).

**Q. I reside outside of the United States, where my postal code is less than five digits. How do I pass the error message stating that my zip code is too short?**

**A.** We are currently working on an up-grade to the system that will solve this problem. In the meantime, simply add a leading “0” to your entry.

**Q. I filed my application electronically, but when I check for status information using the serial number provided in the electronic acknowledgement, why am I told that there is no information for that serial number?**

**A.** You most likely are checking for status information too soon after filing. You should not attempt to do so until at least 45 days after submission, to allow sufficient time for our databases to be updated. Also, you most likely will NOT hear anything from the assigned examining attorney (depending on existing application backlogs) for 4-6months after the filing of the application.

**Q. I just filed my application electronically, and realize I**



## **made an error. How do I enter a correction?**

**A.** If you determine that you made an error in the information you entered, you may file a preliminary amendment electronically, stating your proposed correction, to the following address: [ecomLO102@uspto.gov](mailto:ecomLO102@uspto.gov). (E-mail sent to any other address, e.g., [PrintEAS@uspto.gov](mailto:PrintEAS@uspto.gov) or [TEAS@uspto.gov](mailto:TEAS@uspto.gov), will not be processed). The amendment should be written as e-mail text, and not as an attachment (e.g., not as a Word® document). Also, include the serial number and mark (if design, a brief description thereof) in the subject line of the e-mail. Finally, you should sign the preliminary amendment electronically (using the same method as the original application, e.g. /john smith/). A “digital” signature should not be used. *See* 37 CFR §1.4(d)(1)(iii).

Or, you may submit the preliminary amendment via a hard paper copy, listing your mark and serial number, and stating your proposed correction, to the following address:

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202

The examining attorney will determine whether such a change is permissible within the normal course of his or her review of the application. Please note that not all errors may be corrected; for example, if you submitted the wrong mark or the incorrect goods and/or services, if the proposed correction would be considered a material alteration to your original filing, this will not be accepted. Unfortunately, your only recourse in that event is to re-file -- your fee would not be refunded. Once you submit an application, either electronically or through the mail, we will not cancel the filing or refund your fee, unless the application fails to satisfy minimum filing requirements. The fee is a processing fee, which we do not refund even if we cannot issue a registration after our substantive review.

## **Q. Since I filed electronically, is it possible to respond to an office action electronically?**

**A.** Yes. To respond to an office action electronically, you must

- ◆ include the serial number and mark (if design, a brief description thereof) in the subject line;
- ◆ send the response to either [ecomLO102@uspto.gov](mailto:ecomLO102@uspto.gov) or [ecomLO112@uspto.gov](mailto:ecomLO112@uspto.gov) (depending on where the application has been assigned). E-mail sent to any other address will not be processed, and may result in abandonment of the

application;

- ◆ submit the entire response as e-mail text, and not as an attachment (e.g., not as a Word® document);
- ◆ submit specimens and/or evidence as scanned images or digital photographs in GIF or JPG format only (no other formats will be processed);
- ◆ respond within six-months from the office action mailing date, or within the period stated in the office action;
- ◆ respond in English; and
- ◆ sign the response electronically (using the same method as the original application, e.g. /john smith/). A “digital” signature should not be used. *See* 37 CFR §1.4(d)(1)(iii).

If you wish to receive future office actions by e-mail, you must state in the response that, “The applicant authorizes the USPTO to communicate with the applicant electronically at the following e-mail address: \_\_\_\_\_.” Only one e-mail address may be used for correspondence. The examining attorney will send correspondence only to the e-mail address listed in the application. A request to change an e-mail address may be submitted by e-mail ([ecomLO102@uspto.gov](mailto:ecomLO102@uspto.gov) or [ecomLO112@uspto.gov](mailto:ecomLO112@uspto.gov), depending on where the application has been assigned).

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## Back to School With the USPTO Kids’ Pages

*by Pamela J. Rinehart, Office of the Chief Information Officer*

As students across the country are preparing for their invention conventions, science fairs, and other creative programs, it’s the perfect time to direct your attention to a valuable educational resource -- the USPTO Kids’ Pages.

It’s been a whole year since the Kids’ Pages first appeared on the USPTO Web site ([www.uspto.gov/go/kids](http://www.uspto.gov/go/kids)). It was released in August 1999 as a tribute to young -- and young-at-heart -- inventors in recognition of National Inventors’ Month, and just in time for the back-to-school projects. In April 1997, President Clinton directed federal agencies to establish Web sites targeted to the educational needs of our nation’s children. Q. Todd Dickinson, Under Secretary of Commerce for Intellectual



Property and Director of the United States Patent and Trademark Office, took a direct interest in sponsoring a working group to develop the USPTO Kids' Pages as an extension of the agency's existing educational outreach program.



A diverse group of volunteers, drawn from each business area of the USPTO, produced -- and continues to improve -- the Kids' Pages. This group decided very early in the process that the Kids' Pages would have to put on a very different face for the USPTO, full of bright colors, humor, and interesting activities, and firmly linked to patents and trademarks at every opportunity. The group's groundwork paid off, as evidenced both by positive feedback from the USPTO's customers and the recognition of the USPTO Kids' Pages' in numerous publications, hyperlinks, and Web site award listings. (We've counted over 150 links and awards so far and have had visitors from as far away as New Zealand who were curious about how we put together the site!)

*"I was searching the Internet for cheezy government-agency Web sites geared for kids, but was pleasantly surprised when I found yours entertaining and effective. Good job!"*

You might be wondering why the USPTO should devote any of its precious resources to kids. After all, how many kids are actually fee-paying inventors and entrepreneurs? No one knows for sure, because the USPTO does not collect the ages of inventors or trademark registrants as part of the application process. However, whiz kids who have made it in the business world with innovative products are big invention news showing up regularly in the press, on commercial Web sites, in trade journals for inventor organizations, and featured in contests with huge public relations returns for the contest sponsors. One thing is certain -- there isn't an inventor around who wasn't once a child.

Something goes very wrong between childhood and adulthood that turns many budding entrepreneurs and inventors away from pursuing their creative talents. In the United States, children start out recognizing trademarks before they can read. When presented with a selection of trademarks for prominent restaurant chains a two-year old can correctly name them without fail. Kids are fascinated with tales of "garage" inventors, often dreaming about how they could make it big as an inventor themselves. Ask a young child what George Washington Carver, Thomas Edison, Benjamin Franklin, Thomas Jefferson, and Eli Whitney have in common and they can probably all tell you not only that they were inventors, but also what each invented.



With so many kids starting out with such a fascination for patents and trademarks, what happens to their ambitions and creativity by the time that they become adults? It's not a lack of interest so much as a lack of direction and opportunity that seems to be working against them. The USPTO realizes that it can play a part in keeping the direction clear and the opportunities open by providing outreach activities geared to the needs of kids in their most critical stages of educational development. Instead of simply saying that an inventor needs a business plan, the USPTO Kids' Pages links to tutorials from the Small Business Administration on creating business plans. Instead of telling them to go to the USC, the Kids' Pages tell what USC (United States Code) stands for and provide links to tutorials on the lawmaking process. By showing related patents and trademarks, fostering creativity skills, and exposing children to the search tools and legal environment associated with its operations, the USPTO hopes to keep our children's inventive fires alive and make the process of obtaining a patent or trademark less formidable and more attainable for them.



The idea driving the Kids' Pages is that children of all ages will be more successful as inventors and entrepreneurs if they receive an education in matters of both industrial technology and intellectual property law in a way that both excites and enchants them. To that end, a mixture of written materials, themed gallery displays, games, quizzes, contests and animated graphics is used to attract and retain readers. Great care is taken to ensure that content is age-appropriate and suitable for children and that Web page designs are accessible to the disabled. All materials are reviewed for readability, historic accuracy, and legal content prior to publication.

The main objectives of the Kids' Pages are to:

- provide patent and trademark information in a language that kids can understand;
- expose children to the inventive thinking process in a positive, fun environment;
- reach out to the future regarding growth in intellectual property technology; and
- generate interest in the patent and trademark systems.

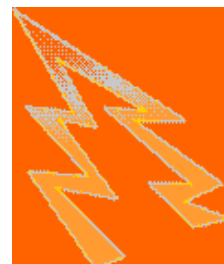
The Kids' Pages have three target audience groups: Kindergarten to 6<sup>th</sup> Grade (Twinkle Lights); 6<sup>th</sup> Grade through 12<sup>th</sup> Grade (Bright Lights), and Parents, Teachers and Coaches (Guiding Lights). Materials are clustered on general subject pages, as well as featured on pages geared to each target audience. When possible, stories and guides are written in several styles to represent content in an

age-appropriate manner. The names of the target audience groups reflect the prominence of the lightbulb as a recognizable invention by a well-known inventor and entrepreneur (Thomas Edison) as well as a universally recognized icon of creativity.

Content of the site features at least one of the following in each target audience area:

- Historic content relevant to patents and trademarks, inventors, and historic figures;
- Intellectual property concepts, laws, policies, and practices;
- Technologies that are patentable;
- Technologies that support development and review of trademarks;
- Federal information collections, particularly of scientific and technical resources;
- General federal information locator resources;
- General mathematical concepts;
- General scientific concepts;
- Learning tools and aids of relevance to scientific, technical, mathematical, verbal, and graphic arts;
- Reading comprehension for legalistic and technical documents; or
- Scientific and technical educational resources.

The current pages include a variety of simple graphic games and quizzes on patents and trademarks, a welcome from Under Secretary Dickinson, special “themed” exhibits of related patents and trademarks, hyperlinks to related Web sites, a FAQ about patents and trademarks, and a special guide to searching the patent databases. It also features stories about inventions and the creative process, contests, a photo gallery featuring children at USPTO activities, and several “freebie” downloads of patent and trademark posters. Knowing it’s never too early to plan for the future, the group even provided a recruitment page describing the degree requirements for various employment opportunities at the USPTO so that kids can take this information into account in planning their career goals. One of the most recent additions to the site is the “Mumbo Jumbo Gumbo,” a light-hearted and slowly expanding attempt to define USPTO’s legal terminology in a language kids (and adults) can better understand.



Coming soon to the Kids’ Pages are features on plant patents, music and mathematics, automobiles, astrophysics and space exploration, water safety, more puzzles and games, and a contest for educators to develop a set of lesson plans relating to patents and trademarks. The group will continue adding to and improving

the site. Future additions will:

- increase the exposure of children to the various fields of technological innovation;
- provide opportunities to develop skills to support and expand emerging technologies;
- increase the understanding and awareness of the processes for successfully obtaining intellectual property protection;
- provide learning aids, tools, and games to develop the necessary critical thinking, analytic, scientific, and business skills to succeed in an innovative and entrepreneurial world; and
- foster a lifelong aptitude for creativity and inventive thinking in the nation's children.



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## Helpful Hints for Patent Applicants

### **Information Disclosure Statements (IDS)**

*by Dick Apley, Director, Office of Independent Inventor Programs*

I just read a very informative article in the *Journal of the Patent and Trademark Office Society* (August 2000, Volume 82, No.8) that coincided with this issue's Helpful Hints that I was preparing for the *USPTO Today*. It's titled, "Protecting Patents From The Beginning: The Importance of Information Disclosure Statements During Patent Prosecution" and written by Todd Juneau and Jill MacAlpine. The authors offer an in-depth analysis of the procedural requirements for filing an IDS -- that is, timing and contents of an IDS -- and the remedies and consequences of filing an incomplete IDS. (When reading the article, one should note that the M.P.E.P. references are actually to the M.P.E.P.F.P.... that is, the form paragraphs and not the MPEP Section which is 609.)

HINT #1. The time for filing the IDS is found in 37 CFR 1.97 and can be summarized in three time frames, each with its own level of requirements.

<u>Time when IDS is filed</u>	<u>37 CFR 1.97 Requirements</u>
(1) Within 3 months of filing or before first office action on the merits, whichever is later(1.97(b)).	None (always considered).
(2) After the time period discussed in paragraph (1) but before final action or notice of allowance (1.97 (c)).	1.97(e) statement or 1.17(p) fee
(3) After final action or notice of allowance and before payment of issue fee (1.97(d)).	1.97(e) statement, petition, and 1.17(i) fee.

If an IDS does not comply with the requirements based on time of filing the statement, it will be placed in the application file but none of the information will be considered by the examiner. The examiner will inform the applicant that the IDS has not been considered. The applicant may then file a new IDS or correct the deficiency in the previously filed statement, **but the date that the new statement or correction is filed will be the date considered for purposes of determining whether the IDS statement complies with the timing requirements set out in rule 1.97.** Therefore, if the original statement was filed within three months of filing the application whereby the examiner must consider it (1.97(b)), but was deficient and then corrected in the response to the first office action, the IDS must now comply with the requirements of 1.97(c).

HINT #2. 37 CFR 1.98 [c] states, *inter alia*, that if a written English language translation of a non-English language document, or portion thereof, is within the possession, custody, or control of, or is readily available to any individual designated in 37 CFR 1.56[c], a copy of the translation shall accompany the statement. Translations are not required to be filed unless they have been reduced to writing and are actually translations of what is contained in the non-English language information. If no translation is submitted, the examiner will consider the information in view of the concise explanation and insofar as it is understood on its face, e.g. drawings, chemical formulas, English language abstracts, in the same manner that non-English language information in office search files is considered by examiners in conducting searches. Remember that the concise explanation **may be either separate from the specification or incorporated therein.** Therefore, if you discuss the relevance of a non-English language reference in the Background of the Invention portion of the specification, properly cite the reference on the Information Disclosure Citation form (PTO-1449), and provide a copy thereof, you have complied with this requirement.



# Faces of the USPTO

## *Esther M. Kepplinger*

was appointed the deputy commissioner of patent operations in March 2000. In this capacity, Kepplinger has the responsibility for all patent examining functions in the six patent technology centers, and all operational aspects of patent application initial examination, patent publications, and international PCT applications processing. Ms. Kepplinger oversees more than 3,500 highly skilled scientists and engineers and an annual operating budget of over \$400 million. Prior to this appointment, she served as a group director in Patent Examining Technology Center 1700, overseeing the examination of patent applications in the areas of chemical and materials engineering. She has more than 25 years of experience in intellectual property rights protection, and over 10 years of organizational management and leadership experience.



Ms. Kepplinger joined the United States Patent and Trademark Office in 1973 as an examiner in the former chemical group 170, working in the enzymatic analyses, food composition, genetic engineering, and DNA hybridization assays arts. She was promoted to the position of primary examiner in 1979, and to supervisory patent examiner in 1990 in the biotechnology area, overseeing the immunoassays arts. She was appointed to the Senior Executive Service Rank as a deputy director of former group 1300 in 1997. Ms. Kepplinger has been a leader in helping the office streamline examination process and procedures to reduce internal cycle time. She had introduced numerous initiatives including the fax pilot to allow applicants to transmit facsimiles directly to examiners.

During her career at the Patent and Trademark Office, Kepplinger has served on many special projects for the Office of the Commissioner for Patents, including designing alternate compensation models to motivate employees and effectively using resources

available to the USPTO. She has also worked as a biotechnology practice specialist, and analyzed patent applications filed with numerous DNA sequences. Ms. Kepplinger organized public hearings and recommended the policies based on customer input that were adopted by the USPTO for these applications. She was the principal architect in drafting the rules for filing patent applications in the biotechnology area. She also worked with the other patent offices including the Japanese Patent Office and the European Patent Office to harmonize the international standards for DNA and protein sequences in patent applications. This resulted in WIPO ST.25, for which she was awarded the Department of Commerce Gold Medal, the highest honor bestowed by the secretary of commerce.

Ms. Kepplinger served as an officer in the Supervisory Patent Examiners and Classifiers Organization, initiating many leadership projects for patent examining corps supervisors. She was awarded the Department of Commerce Bronze Medal Award in 1990 as an examiner and 1996 for her work updating the MPEP, Chapters 700 and 2100.

Ms. Kepplinger received a B.S. in Biology from Indiana University of Pennsylvania in 1971 and completed two years of graduate study there in biochemistry. She has also earned a graduate level Certificate of Advanced Public Management from the Maxwell School of Citizenship and Public Affairs at the Syracuse University, one of the top public management programs in the nation.

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# USPTO Customer Outreach

## Lecture Series and Workshops

In the interest of providing better service to its customers, the U.S. Patent and Trademark Office operates a secure VideoConference Center. Linked to its three Partnership Patent and Trademark Depository Libraries, it provides board hearings, examiner interviews, and lectures. Contact your closest partnership library for more information and local times:

### **Sunnyvale Center for Innovation, Invention and Ideas**

Sunnyvale, California

Phone: (408) 730-7290

### **Great Lakes Patent and Trademark Center**

Detroit, Michigan

Phone: (313) 833-3379

### **South Central Intellectual Property Partnership at Rice University**

Houston, Texas

Phone: (713) 348-5196

### **Video Conference Lectures**

<u>Schedule Date</u>	<u>Topic</u>	<u>Lecturer</u>	<u>Duration Of Lecture</u>	<u>Time (ET)</u>
9/14/00	Affidavits 37 CFR 1.131 & 1.132	Dave Lacey	2 hours	1pm – 3pm
9/19/00	Re-Issue / Re-Exam	Ken Schor / Joe Narcavage	2 hours	1pm – 3pm
9/21/00	35 USC 103	David Moore	2 hours	1pm – 3pm
10/10/00	Non-obviousness	tbd	2 hours	1pm - 3pm
10/12/00	Response by Applicant	tbd	2 hours	1pm - 3pm
10/17/00	PCT I	tbd	3 hours	1pm - 4pm
10/19/00	PCT II	tbd	3 hours	1pm - 4pm
11/14/00	Double Patenting	tbd	1 - 2 hours	1pm - 2/3pm
11/16/00	Proposed New Rule change	tbd	2 hours	1pm - 3pm
11/28/00	Petitions	tbd	2 hours	1pm - 3pm
11/30/00	State Street Case	tbd	2 hours	1pm - 3pm
12/5/00	PCT I	tbd	3 hours	1pm - 4pm
12/7/00	PCT II	tbd	3 hours	1pm - 4pm
12/12/00	E-TEAS	tbd	2 hours	1pm - 3pm
12/14/00	Trademark Tips for Paralegals	tbd	2 hours	1pm - 3pm

The United States Patent and Trademark Office is currently holding free, one-day, educational workshops across the country at Patent and Trademark Depository Libraries detailing implementation of the American Inventors Protection Act of 1999 (AIPA) and introducing the agency's electronic commerce initiatives.

The **Patents 2000 Customer Outreach Program** is designed to help registered patent attorneys/agents, legal staff and independent inventors understand the impact of the AIPA, which became law in late 1999.

The highlights of the electronic commerce segment are Patent Application Information Retrieval (PAIR) - How to access information about your patent application or any issued patents/published application via the Internet; Electronic Filing System (EFS) - How to file a patent application online; Changes to PAIR and EFS to support implementation of the AIPA and whether or not you will need to use PAIR and EFS as a result of AIPA implementation; and Public Key Infrastructure (PKI) - How the USPTO protects your application information on the Internet.

In each city, there will be two workshops, one planned for attorneys and large corporations and one planned for independent inventors. The workshops will be presented as interactive lectures with ample opportunity for questions and answers.

Reservation and contact information for USPTO's Patents 2000 Customer Outreach Program workshops follows.

USPTO; Arlington, VA  
September 19 and 20  
Contact: (703) 305-8341

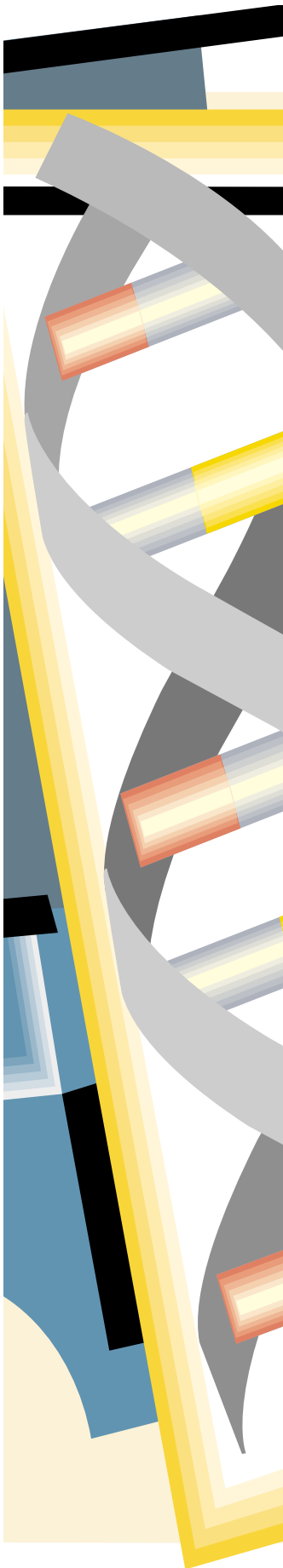
Boston Public Library; Boston, MA  
September 26 and 27  
Contact: (617) 536-5400 ext. 265

Engineering Library, University of Washington; Seattle, WA  
October 16 and 17  
Contact: (206) 685-8371; [englib@u.washington.edu](mailto:englib@u.washington.edu)

Chicago Public Library; Chicago, IL  
October 30 and 31  
Contact: (312) 747-4477

Milwaukee Public Library; Milwaukee, WI  
November 2 and 3  
Contact: (414) 286-3000

For more information about the Patents 2000 Customer Outreach Program, please go to [www.uspto.gov](http://www.uspto.gov) and click on American Inventors Protection Act or the Patent Electronic Business Center.



# Open House Program

*presented by*

**BIO and the U.S. Patent and Trademark Office  
Technology Centers 1600 and 2900  
and the Search and Information Resource Administration**

**Audience:**

**All biotechnology, organic chemistry,  
pharmaceutical, and design practitioners**

**Date:**

**Wednesday, October 18, 2000  
Program begins at 8:30 am**

**Location:**

**The Crystal Forum  
1999 Jefferson Davis Highway  
Arlington, Virginia**

**Topics Include:**

**automation update  
patent operation issues  
utility/written description guidelines  
proposed rules  
biotech policy  
USPTO strategic planning  
appeals and interferences  
design issues  
tours of the technology center  
meet and greet USPTO personnel  
automation demos including PatentIn, PAIR, EFS**

**Town Hall Meeting**

**with open microphone for Q&A**

**Panel discussions with Q&A on  
bioinformatics, organic chemistry,  
pharmaceuticals, gene therapy, transgenic  
animals, immunology, combinatorial chemistry,  
design, and technology center operations**

**Reservations are required.**

**Please call 703/308-1234 for more information or  
to RSVP. Registration fee for the program with  
lunch on October 18 is \$100**

# USPTO Presents A Symposium

## The West Coast Road Show

Hot Topics in Biotechnology, Computer Patents, and  
Patent Legislation

Topics to be covered:

- Implementation of the American Inventors Protection Act, including patent term adjustment and requests for continuing examination.
- USPTO customer outreach and patentability in biotechnology patent examination.
- Discovery genetics, including patenting of genes, gene therapy, transgenic animals, expressed sequence tags, antisense oligonucleotides and single nucleotide polymorphisms.
- Bioinformatics link genetic information, protein structure, and development of new therapeutic drugs.
- Patentability and scope of protection of protein, vaccine, and immunology patents.
- Application of recent changes in written description and utility guidelines.
- Patentability issues pertaining to computer related inventions.

Panelists include members of USPTO technology centers 1600 and 2700, who are responsible for examining biotechnology patent applications and patent applications in computers, electronics, and computer software technologies respectively.

**Monday, September 18, 2000**

The Washington Athletic Club  
1325 Sixth Avenue  
Seattle, WA 98111  
Noon to 5:00 pm  
Contact: Pam Love (WBBA) 206/624-1967  
[www.wabio.com](http://www.wabio.com)  
Contact: Rex Stratton (WSPLA) 206/682-1496

**Wednesday, September 20, 2000**

The Clarion Hotel  
401 East Millbrae Avenue  
Millbrae, CA 94030  
11:00 am to 5:30 pm  
Contact: Ben Borson (NCPDG) 415/362-3800  
[www.ncpdg.org](http://www.ncpdg.org)

**Thursday, September 21, 2000**

La Jolla Marriott  
4240 La Jolla Village Drive  
La Jolla, CA 92037  
3:00 pm to 9:00 pm  
Contact: Steve Korniczky (SDIPLA) 858/720-2870

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